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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,182	06/28/2001	Masayuki Chatani	PA1716US	5313
22830	7590	08/01/2006	EXAMINER	
CARR & FERRELL LLP 2200 GENG ROAD PALO ALTO, CA 94303			WANG, LIANG CHE A	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/894,182	<b>Applicant(s)</b> CHATANI, MASAYUKI	
	<b>Examiner</b> Liang-che Alex Wang	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/30/06</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-30 are presented for examination.

#### *Response to Arguments*

2. Applicant's arguments filed 6/7/2006, have been fully considered but they are not persuasive.
3. In that remarks, applicant's argues in substance:

- a. That: Uranaka fails to disclose the presently claimed "permanently recorded disc identification."

This is not found persuasive because Uranaka teaches an identifier recorded on the storage medium, which identifies application stored on the storage medium (Col 2 lines 60-64, Col 5 lines 20-23). The identifier taught by Uranaka is permanently recorded on the storage medium (ID is stored on DVD), and identifies content recorded on the storage medium. Identifier, which uniquely identifies the content recorded on a disc, is inherently identifying the disc. Therefore Uranaka teaches the claimed "permanently recorded disc identification".

#### *Paper Submitted*

4. It is hereby acknowledged that the following papers have been received and placed of record in the file:
  - a. **Information Disclosure Statements** as received on 5/30/2006 is considered.

*Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 3, 4, 6, 8, 9, 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Uranaka et al., US Patent Number 6,470,085, hereinafter Uranaka.
7. Referring to claim 1, Uranaka teaches a system for use in a network (figure 1), comprising:
- a. a user console (figure 1, client 2, Col 5 lines 17-18);
  - b. a disc storage medium (DVD 3) including a permanently recorded disc identification (Col 2 lines 60-64, Col 5 lines 20-23), the disc storage medium being readable by the user console (Col 5 lines 17-18), wherein the user console is operable to transmit the disc identification over the network (Col 8 lines 48-52, client sends services request alone with disc identification); and
  - c. a host server in the network (server 8), the host server being configured to receive the disc identification and configured to assign points to a point account associated with the disc identification (Col 7 lines 58-66, Col 8 line 65- Col 9 line 1).

8. Referring to claim 3, Uranaka teaches the system of claim 1, wherein the user console includes a user identification that identifies a user of the user console (Col 7 lines 61-63).
9. Referring to claim 4, Uranaka teaches the system of claim 3, further comprising a user database accessible by the host server (Col 7 lines 58-59), the user database including a user table (volume data table, figure 6A) associated with the user identification (Col 7 lines 59-63), the user table including the point account (figures 6 and 7), the point account being further associated with the user identification (Col 7 lines 59-63).
10. Referring to claim 6, Uranaka teaches the system of claim 4, wherein the user console transmits the disc identification and the user identification to the host server for authorization to execute software residing on the disc storage medium (Col 2 lines 29-54).
11. Referring to claim 8, Uranaka teaches the system of claim 6, wherein the host server compares the disc identification to a plurality of disc identifications stored in the user table associated with the user identification, and compares the disc identification with a plurality of disc identifications stored in other user tables associated with other user identifications (Col 8 line 59-Col 9 line 13, associating a user account with disc identification corresponds to comparing the disc identification to a plurality of disc identification stored in the user table; figure 8, step 86).
12. Referring to claim 9, Uranaka teaches the system of claim 8, wherein if the disc identification matches one of the plurality of disc identifications stored in the user table associated with the user identification, the host server transmits to the user console an access permission signal that authorizes execution of software stored on the disc storage

medium, assigns points to the point account of user table associated with the disc identification and the user identification (Col 9 lines 30-59), and transmits point information to the user console (figure 10, steps 93-94).

13. Referring to claim 10, Uranaka teaches the system of claim 8, wherein if the disc identification matches one of the plurality of disc identifications stored in the other user tables associated with other user identifications, and if the matched other user table indicates owner consent, the host server transmits to the user console an access permission signal that authorizes execution of software stored on the disc storage medium, assigns points to the point account of the other user table associated with the disc identification and the other user identification (Col 9 lines 30-59), and transmits point information to the user console (figure 10 steps 93-94).
14. Referring to claim 11, Uranaka teaches the system of claim 10, wherein the host server assigns points to a point account of the user table associated with the user identification (figure 8, step 88).
15. Referring to claim 12, Uranaka teaches the system of claim 8, wherein if the disc identification matches one of the plurality of disc identifications stored in the other user tables associated with other user identifications, and if the matched other user table does not indicate owner consent, the host server transmits an access refusal signal to the user console whereby the user console cannot execute software residing on the disc storage medium (figure 15, step 662).
16. Referring to claim 13, Uranaka teaches the system of claim 8, wherein if the disc identification does not match any disc identifications stored in any user table, the host

server transmits to the user console an access permission signal to execute software residing on the disc storage medium, assigns points to the point account of user table associated with the user identification, and transmits point information to the user console (Col 8 line 65 –Col 9 line 1, figure 8).

17. Referring to claim 14, Uranaka teaches the system of claim 13, wherein the host server records the disc identification to the user table associated with the user identification (Col 8 line 65 –Col 9 line 1, figure 8).

***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 2, 5, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uranaka, in views of Smethers US Patent Number 6,560,640, hereinafter Smethers.

20. Referring to claim 2, Uranaka teaches a system as described in claim 1, and Uranaka does not teach a set identification that uniquely identifies the user console.

However, Smethers teaches each device is having a device ID associated with an account recorded on the server (Col 9 lines 7-11).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the device ID to be one of the identification

associated with an account because both Uranaka and Smethers teaches account managed and maintained in the servers (Uranaka, figures 6-7, Smethers figure 3).

A person with ordinary skill in the art would have been motivated to make the modification to Uranaka because having the device ID would allow the server to be aware of the presence of the device.

21. Referring to claim 5, Uranaka as modified teaches the system of claim 2, further comprising a user database accessible by the host server, the user database including a user table associated with the set identification, the user table including the point account, the point account being further associated with the set identification (figures 6-7).
22. Referring to claim 7, Uranaka as modified teaches the system of claim 5, wherein the user console transmits the disc identification and the set identification to the host server for authorization to execute software residing on the disc storage medium (Col 2 lines 29-54).
23. Claims 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uranaka and in views of Clenaghan et al., US Publication Number 2002/0052816 A1, hereinafter Clenaghan.
24. Referring to claim 15, Uranaka teaches all the limitation of claim 15 (see figure 2B) except the sub-account.

However, Clenaghan has taught each primary account allows for the creation of sub-accounts (Page 2 [0011] lines 10-11).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the sub-account of Clenaghan in Uranaka as



modified such that to have the sub-account associated with the disc identification because both Uranaka and Clenaghan teach account managed and maintained in the servers (Uranaka, figures 6-7, and Clenaghan, Page 2 [0011] lines 4-11).

A person with ordinary skill in the art would have been motivated to make the modification to Uranaka because sub-accounts allows user to access to different systems as taught by Clenaghan (page 2 [0011] lines 7-10).

25. Referring to claim 16, Uranaka as modified teaches the system of claim 15, wherein if the disc identification matches one of the plurality of disc identifications stored in the user table associated with the user identification, the host server transmits to the user console an access permission signal that authorizes execution of software stored on the disc storage medium, assigns points to the sub-account of disc table associated with the disc identification, and transmits point information to the user console (Col 9, lines 30-59, figure 10, steps 93-94).
26. Referring to claim 17, Uranaka as modified teaches the system of claim 15, wherein if the disc identification matches one of the plurality of disc identifications stored in the other user tables associated with other user identifications, and if the matched other user table indicates owner consent, the host server transmits to the user console an access permission signal that authorizes execution of software stored on the disc storage medium, assigns points to the sub-account of the disc table associated with the disc identification, and transmits point information to the user console (Col 9, lines 30-59, figure 10, steps 93-94).

27. Referring to claim 18, Uranaka as modified teaches the system of claim 17, wherein the host server assigns points to a point account of the user table associated with the user identification (figure 8, step 88).
28. Referring to claim 19, Uranaka as modified has further taught wherein if the disc identification matches one of the plurality of disc identifications stored in the other user tables associated with other user identifications, and if the matched other user table does not indicate owner consent, the host server transmits an access refusal signal to the user console whereby the user console cannot execute software residing on the disc storage medium (Figure 15 step 662)
29. Referring to claim 20, Uranaka as modified has further taught wherein if the disc identification does not match any disc identifications stored in any user table, the host server transmits to the user console an access permission signal to execute software residing on the disc storage medium and transmits point information to the user console (Col 8 line 65 –Col 9 line 1, figure 8).
30. Referring to claim 21, Uranaka as modified has further taught wherein the host server records the disc identification to the disc table (figure 8 step 88).
31. Referring to claim 22, Uranaka as modified has further taught wherein the host server assigns points to the sub-account of the disc table associated with the disc identification (figure 8 step 88).
32. Claims 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uranaka in views of Clenaghan and in further views of Matsuo et al., US Publication Number 2001/0042021 A1, hereinafter Matsuo.

33. Referring to claim 23, Uranaka teaches all the limitation described in claim 23 (figure 1, see rejection to claim 1) except the limitation of plurality of plurality of publisher servers with plurality of databases and sub-accounts.

However, Clenaghan teaches each primary account allows for the creation of sub-accounts (other user identification) (Page 2 [0011] lines 10-11).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the sub-account of Clenaghan in Uranaka such that to have the sub-account associated with the disc identification because both Uranaka and Clenaghan teaches account managed and maintained in the servers (Uranaka, figure 1, system 100, and Clenaghan, Page 2 [0011] lines 4-11).

A person with ordinary skill in the art would have been motivated to make the modification to Uranaka because sub-accounts allows user to access to different systems as taught by Clenaghan (page 2 [0011] lines 7-10).

Furthermore, Matsuo teaches when the number of accounts increases, the number of database servers and account databases will be increased (page 9 [0150] lines 11-13.)

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to increase the numbers of databases and data servers in Uranaka's system because both Uranaka as modified and Matsuo teaches account managed and maintained in the servers (Uranaka, figure 1, system 100, and Clenaghan, Page 2 [0011] lines 4-11, and Matsuo page 9 [0150]).

A person with ordinary skill in the art would have been motivated to make the modification to Uranaka because as the number of data of the account database increases,

the load increases, which leads to impeding a rapid access. Therefore having the increase of databases and data servers will divide the workload of data and control the system more sufficiently as taught by Matsuo (page 9 [0150]).

34. Referring to claim 24, Uranaka as modified has further taught wherein if the disc identification matches one of the plurality of disc identifications stored in the user table associated with the user identification, the host server transmits to the user console an access permission signal that authorizes execution of software stored on the disc storage medium and transmits point information to the user console, and the publisher server of the publisher database associated with the disc identification assigns points to the sub-account of the publisher database associated with the disc identification (Col 9 lines 30-51, figure 8 step 88).
35. Referring to claims 25-26, claims 25-26 encompass the same scope of the invention as that of the claims 17-18. Therefore, claims 25-26 are rejected for the same reason as the claims 17-18. (see rejections to claims 17 and 18).
36. Referring to claim 27, Uranaka as modified further teaches wherein if the disc identification matches one of the plurality of disc identifications stored in the other user tables associated with other user identifications, and if the matched other user table does not indicate owner consent, the host server transmits an access refusal signal to the user console whereby the user console cannot execute software residing on the disc storage medium (figure 15 step 662).
37. Referring to claim 28, Uranaka as modified further teaches wherein if the disc identification does not match any disc identifications stored in any user table, the host

server transmits to the user console an access permission signal to execute software residing on the disc storage medium and transmits point information to the user console (Col 8 line 65 – Col 9 line 1 figure 8).

38. Referring to claim 29, Uranaka as modified further teaches wherein the publisher server of the publisher database associated with the disc storage medium identified by the disc identification records, the disc identification to the publisher database associated with the disc storage medium identified by the disc identification (figure 6 and 7).
39. Referring to claim 30, Chatani as modified further teaches wherein the publisher server of the publisher database associated with the disc identification assigns points to the sub-account of the publisher database associated with the disc identification (figure 8 step 88).


### *Conclusion*

40. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
41. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
43. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
44. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang   
July 26, 2006

  
**SALEH NAJJAR**  
**SUPERVISORY PATENT EXAMINER**